

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

MANUEL A. YBARRA, JR.,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of  
Social Security,

Defendant.

No. CV06-807-HU

OPINION AND ORDER

**MOSMAN, J.,**

On July 6, 2007, Magistrate Judge Hubel issued Findings and Recommendation ("F&R") (#20) in the above-captioned case recommending the Commissioner's decision denying plaintiff's applications for benefits be remanded for further proceedings. No objections were filed.

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The district court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. Where objections have been made, I conduct a *de novo* review. 28 U.S.C. § 636(b)(1)(C). However, I am not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge to which no objections are made. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

Upon review, I agree with Judge Hubel' recommendation, and I ADOPT the F&R as my own opinion.

IT IS SO ORDERED.

DATED this 10th day of September, 2007.

/s/ Michael W. Mosman  
MICHAEL W. MOSMAN  
United States District Court